

Carlos Hernández
Mayor

Luis Gonzalez
Council President

Katharine E. Cue-Fuente
Council Vice President



Council Members
Jose F. Caragol
Vivian Casáls-Muñoz
Isis Garcia-Martinez
Paul B. Hernández
Lourdes Lozano

City Council Summary Agenda/ Minutes

February 14, 2017

7:00 P.M.

Call to Order - **Council President Gonzalez called the meeting to order at 7:02 p.m.**

Roll Call - **City Clerk, Marbelys Fatjo, called the roll with the following Council Members present:**

- Council President Luis Gonzalez
- Council Vice President Katharine Cue-Fuente
- Councilman Jose Caragol
- Councilwoman Vivian Casáls-Muñoz
- Councilman Paul Hernandez
- Councilwoman Lourdes Lozano

Council Members Absent:

- Councilwoman Isis Garcia-Martinez

Also present were:

- Mayor Carlos Hernandez
- Lorena Bravo, City Attorney

Invocation - **Marbelys Fatjo, City Clerk, led the invocation.**

Pledge of Allegiance - **Council Vice President Cue-Fuente led the Pledge of Allegiance.**

Meeting Guidelines

The following guidelines have been established by the City Council:

➤ **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**

- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.

- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

REPORT: The meeting guidelines were read into the record by the City Clerk in English, and by Carmen Hernandez, Deputy City Clerk, in Spanish.

Presentations –

- Councilman Hernandez presents a Certificate of Appreciation to Jeffrey Leonard in recognition of his service as a member of the City of Hialeah Veteran Affairs Board from March 2012 to January 2017. **PRESENTED**
- Patrice Gillespie Smith, Neat Streets Miami Manager, Miami Dade County, will be conducting a presentation regarding the benefits of Complete Streets. **PRESENTED**

1. Announcement of Amendments/Corrections to the Agenda

- **Items Y and Z have been added to today's agenda.**
- **A copy of the Declaration of Restrictions and Unity of Title for Item PZ 5 and the Declaration of Restrictions for Item PZ 6 have been placed on the dais for your review.**
- **The Planner's Report for Item PZ 7 has been replaced and a copy of the corrected version has been placed on the dais for your review.**

2. Consent Agenda-

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

REPORT: Motion to Approve the Consent Agenda made by Council Vice President Cue-Fuente, and seconded by Councilwoman Casáls-Muñoz. Motion passed (6-0-1) with Councilwoman Garcia-Martínez absent.

- A. Request permission to approve the minutes of the City of Hialeah Council Meeting held on January 24, 2017. (OFFICE OF THE CITY CLERK) **APPROVED (6-0-1) with Councilwoman Garcia-Martínez absent.**
- B. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Conserv Building Services, Inc., vendor providing the lowest

quotation, for the repair and replacement of the chiller lines located at City Hall on the third and fourth floors, in the amount of \$33,770, of which \$3,070 is a ten percent (10%) contingency amount for any unforeseen conditions that may arise during the repair and replacement work. (CONSTRUCTION AND MAINTENANCE DEPT.) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent.**

- C. Request permission to issue a purchase order to Motorola Solutions, Inc., sole source vendor for all government radios, to purchase twenty (20) Motorola all band handheld radios with accessories for the Fire Department in order to replace obsolete radios, as well as enhance interoperable communications with neighboring agencies, in a total cumulative amount not to exceed \$172,257.88. (FIRE DEPT.) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent.**
- D. Request permission to waive competitive bidding, since it is advantageous to the City in that this is the only authorized distributor and service company for Mohawk lifts in the greater Miami area, and issue a purchase order to Jobbers' Equipment Warehouse, Inc., to purchase two (2) Mohawk MP-18-006 – A/C Wired four (4) columns seventy-two thousand (72,000) capacity lifts, in a total cumulative amount not to exceed \$77,986.94. (FLEET MAINTENANCE DEPT.) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent.**
- E. Request permission to award the Mirian Pena Project Case # S-509, Bid # 521, for property located at 1067 West 41 Place, Hialeah, Florida, to Arking Solutions, Inc., lowest responsive bidder, in a total cumulative amount not to exceed \$60,000, of which \$55,909.60 is the bid amount and \$4,090.40 is to cover any change order that may occur due to unforeseen conditions. (DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent.**
- F. Request permission to award the Luz Cimitier Project Case # SR-32, Bid # 33, for property located at 315 West 50 Street, Hialeah, Florida, to Los Leyva Construction Inc., lowest responsive bidder, in a total cumulative amount not to exceed \$150,000, of which \$146,727.32 is the bid amount and \$3,272.68 is to cover any change order that may occur due to unforeseen conditions. (DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent.**
- G. Proposed resolution approving the expenditure totaling an amount not to exceed \$13,000.00 from the Law Enforcement Trust Fund – *Federal*, to cover the cost of tuition for the training of police canines (K-9) and their handlers, from Metro Dade K-9 Services, Inc., and waiving competitive bidding as it is advantageous to the City, upon such costs having been approved by the Chief of Police. (POLICE DEPT.) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. RESOLUTION NO. 2017-008.**
- H. Proposed resolution approving an expenditure totaling an amount not to exceed \$9,733.60 from the Law Enforcement Trust Fund – *State*, to purchase ballistic protection vests, utilizing the State of Florida Department of Management Services Contract No. NASPO Body Armor 46151504-NASPO-17-ACS with Federal Eastern International, Inc., an authorized distributor of Point Blank Enterprises, Inc., and waiving competitive bidding as it is advantageous to the City, upon such costs having been approved by the Chief of Police.

(POLICE DEPT.) APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. RESOLUTION NO. 2017-009.

- I. Request permission to waive competitive bidding, since it is advantageous to the City in that the City has made substantial fiscal reductions to the landscaping contract over the years, and in lieu of these reductions, this vendor has continued to service all locations under the agreement and maintained the original prices, and increase purchase order # 2017-383, issued to Super Landscape & Maintenance, Inc., for ground maintenance, by an additional amount of \$30,000, for a new total cumulative amount not to exceed \$330,000. (DEPT. OF PARKS AND RECREATION) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent.**
- J. Request permission to utilize The School District of Osceola County, Florida Bid # SDOC-16-B-087-LH – *Playground Equipment, Surfacing, Installation and Repair*, and issue a purchase order to Topline Recreation Inc., for the purchase and installation of a shade system for the existing newly renovated playground at Slade Park, in a total cumulative amount not to exceed \$77,977.10. (DEPT. OF PARKS AND RECREATION) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent.**
- K. Request permission to waive competitive bidding, since it is advantageous to the City due to an emergency repair, and issue a purchase order to Commercial Energy Specialists, Inc., for miscellaneous repairs and maintenance of McDonald Water Park's lazy river pump room chemical control system and sand filter apparatus, in a total cumulative amount not to exceed \$17,276.99. (DEPT. OF PARKS AND RECREATION) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent.**
- L. Request permission to waive competitive bidding, since it is advantageous to the City, and increase purchase order # 2017-736, issued to A. Falero Distributors Inc., vendor providing the lowest quotation, to purchase aggregate used in roadway construction, by an additional amount of \$20,500, for a new total cumulative amount not to exceed \$35,000. (STREETS DEPT.) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent.**
- M. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Williams Paving Co., Inc., vendor providing the lowest quotation, for the concrete sidewalk project of West 30th Court, West 30th Lane and West 31st Avenue, from 68th Street to 76th Street, in a total cumulative amount not to exceed \$49,001.50. (STREETS DEPT.) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent.**
- N. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to HD Supply, Inc., vendor providing the lowest quotation, to purchase pipe, PVC couplings, and traffic covers, in a total cumulative amount not to exceed \$17,255.63. (DEPT. OF PUBLIC WORKS) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent.**
- O. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is familiar with the materials and requirements of the City's Department of Public Works, and issue a purchase order to Fortiline, Inc., vendor providing the lowest quotation, to purchase backflow parts, in a total cumulative amount not to exceed

\$71,504.41. (DEPT. OF PUBLIC WORKS) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent.**

- P. Request permission to utilize the pricing of State of Florida Contract # 450-000-11-ACS – *Maintenance, Repair and Operations*, and increase purchase order # 2017-581, issued to W.W. Grainger Inc., to purchase industrial supplies and materials, by an additional amount of \$20,000, for a new total cumulative amount not to exceed \$35,000. (DEPT. OF PUBLIC WORKS) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent.**
- Q. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is familiar with the requirements of the City's Department of Public Works and this vendor is one of the few laboratories certified to conduct these types of test, and increase purchase order # 2017-809, issued to Florida-Spectrum Environmental Services, Inc., to conduct required water quality testing as needed to verify that water plant operations meet the requirements of the service contract, by an additional amount of \$50,000, for a new total cumulative amount not to exceed \$130,000. (DEPT. OF PUBLIC WORKS) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent.**
- R. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is a newspaper of general circulation in the City of Hialeah, as required by law, and increase purchase order # 2017-853, issued to the Miami Herald, for the publication of legal advertisements and public notices, by an additional amount of \$20,000, for a new total cumulative amount not to exceed \$35,000. (OFFICE OF THE CITY CLERK) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent.**
- S. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Shamrock Pool Services, Inc., vendor providing the lowest quotation, to refinish the interactive splash pool at Bucky Dent Water Park, in a total cumulative amount not to exceed \$17,000. (DEPT. OF PARKS AND RECREATION) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent.**
- T. Request permission to waive competitive bidding, since it is advantageous to the City due to time constraints and that this vendor installed the original marquee, and issue a purchase order to Neon Sign Solutions, Inc., to remove and replace the marquee sign at Goodlet Park with a park facility improvement marquee sign, in total cumulative amount not to exceed \$25,627.60. (DEPT. OF PARKS AND RECREATION) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent.**
- U. Request permission to waive competitive bidding, since it is advantageous to the City due to time constraints and that this vendor installed the original marquee, and issue a purchase order to Neon Sign Solutions, Inc., to remove and replace the marquee sign at Bucky Dent Park with a park facility improvement marquee sign, in total cumulative amount not to exceed \$25,627.60. (DEPT. OF PARKS AND RECREATION) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent.**
- V. Proposed resolution creating a Property Assessed Clean Energy (PACE) program and agreeing to join the Florida Resiliency and Energy District (FRED) Pace District; adopting an interlocal agreement relating to FRED; providing for an effective date.

(ADMINISTRATION) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. RESOLUTION NO. 2017-010.**

- W. Proposed resolution of the Mayor and the City Council of the City of Hialeah, Florida, expressing its support for the expansion of the Two Lakes Community Development District, to incorporate an additional 91.44 acres, more or less, having external boundaries as depicted and legally described in Exhibit “A”, aggregately encompassing 221.58 acres, more or less, having external boundaries as depicted and legally described in Exhibit “B”; and providing for an effective date. (ADMINISTRATION) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. RESOLUTION NO. 2017-011.**
- X. Proposed resolution of the Mayor and the City Council of the City of Hialeah, Florida, expressing its support for the expansion of the Two Lakes Special Taxing District, to incorporate an additional 91.44 acres, more or less, having external boundaries as depicted and legally described on Exhibit “A”, to coincide with the geographic boundaries of the Two Lakes Community Development District comprising of 221.58 acres, more or less, having external boundaries as depicted and legally described on Exhibit “B”, to be utilized only in the event that the Two Lakes Community Development District ceases to exist or fails to function in the performance of its duties and responsibilities; and providing for an effective date. (ADMINISTRATION) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. RESOLUTION NO. 2017-012.**
- Y. Proposed resolution approving the comments and amendments by the State to the State Housing Initiative Partnership Program Local Housing Assistance Plan (LHAP) for fiscal years 2013-2014, 2014-2015, 2015-2016, and providing for an effective date. (DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. RESOLUTION NO. 2017-013.**
- Z. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Flower Breeze Corp, vendor providing the lowest quotation, for the service of cleaning the swale areas of the Okeechobee Road canal, in a total cumulative amount not to exceed \$23,625. (STREETS DEPT.) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent.**
3. Second reading and public hearing of proposed ordinance amending Article II. Local Business Tax in Chapter 86 “Taxation and Fees” of the Code of Ordinances to repeal and rescind Hialeah Code § 86-51 entitled “Termination of Business Tax Receipt on Notice of Bankruptcy” and reserving the code section number for convenience; providing for a severability clause; and providing for an effective date. (LICENSE DIV.) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. ORDINANCE NO. 2017-003.**

Item was approved by the City Council on first reading on January 24, 2017. Second reading and public hearing was scheduled for February 14, 2017.

REPORT: Motion to Approve Item 3 made by Councilman Caragol, and seconded by Councilwoman Casáls-Muñoz. Motion passed (6-0-1) with Councilwoman Garcia-Martinez absent.

4. Second reading and public hearing of proposed ordinance amending Article II. Local Business Tax in Chapter 86 “Taxation and Fees” of the Code of Ordinances to repeal and rescind the longevity exemption codified at Hialeah Code § 86-40(d) entitled “Exemption”; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (LICENSE DIV.) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. ORDINANCE NO. 2017-004.**

Item was approved by the City Council on first reading on January 24, 2017. Second reading and public hearing was scheduled for February 14, 2017.

REPORT: Motion to Approve Item 4 made by Councilwoman Casáls-Muñoz, and seconded by Councilman Caragol. Motion passed (6-0-1) with Councilwoman Garcia-Martinez absent.

5. Second reading and public hearing of proposed ordinance repealing and rescinding Subdivision IV in Chapter 98 entitled “Zoning”, Article VI, Division 12 of the Code of Ordinances of the City of Hialeah, Florida and replacing it with a new Subdivision IV entitled “Wireless Telecommunications Towers and Antennas” to update provisions for the placement of Wireless Telecommunications Towers and Antennas; providing for enforcement and administration; providing for reservation of rights; providing for a severability clause; repealing all ordinances or parts of ordinances in conflict herewith; providing for a savings clause; providing penalties for violation hereof; providing for inclusion in code; and providing for an effective date. (ZONING) **POSTPONED UNTIL FURTHER NOTICE**

Item was approved by the City Council on first reading on January 24, 2017. Second reading and public hearing was scheduled for February 14, 2017.

REPORT: Motion to Table Item 5 made by Councilwoman Casáls-Muñoz, and seconded by Council Vice President Cue- Fuente. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent.

6. Second reading and public hearing of proposed ordinance repealing and rescinding Article V entitled “Management of Rights of Way” in Chapter 86 Taxation and Fees, of the Code of Ordinances of the City of Hialeah, Florida and creating a new Article VI entitled “Communications Services Regulations” in Chapter 82 streets, sidewalks and other public places to provide for the placement and maintenance of communications facilities or systems, antennas, equipment facilities, poles and other vertical structures of similar height in the City’s rights-of-way for the provision of communications, cable and video services; providing for enforcement and administration; providing for reservation of rights; providing for a severability clause; repealing all ordinances or parts of ordinances in conflict herewith; providing for a savings clause; providing penalties for violation hereof; providing for inclusion in code; and providing for an effective date. (STREETS) **POSTPONED UNTIL FURTHER NOTICE**

Item was approved by the City Council on first reading on January 24, 2017. Second reading and public hearing was scheduled for February 14, 2017.

REPORT: Motion to Table Item 6 made by Councilwoman Casáls-Muñoz, and seconded by Council Vice President Cue- Fuente. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent.

7. First reading of proposed ordinance amending Chapter 18 entitled “Businesses”, Article VIII. Secondhand Goods Dealers, Division 2. entitled “License”, of the Code of Ordinances of the City of Hialeah, by adding a new section 18-466 entitled “Limitation on Number of Licenses”; providing for a drawing for new licenses; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for severability; providing for inclusion in the code; providing for an effective date. (ADMINISTRATION) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. Second reading and public hearing is scheduled for February 28, 2017.**

Item was approved by the City Council on first reading on February 14, 2017. Second reading and public hearing was scheduled for February 28, 2017.

REPORT: Motion to Approve Item 7 made by Councilwoman Casáls-Muñoz, and seconded by Council Vice President. Motion passed (6-0-1) with Councilwoman Garcia-Martinez absent.

8. First reading of proposed ordinance amending Chapter 18 entitled “Businesses”, Article VII. Precious Metals Dealers, Division 2. entitled “License”, of the Code of Ordinances of the City of Hialeah, by adding a new section 18-406 entitled “Limitation on Number of Licenses”; providing for a drawing for new licenses; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for severability; providing for inclusion in the code; providing for an effective date. (ADMINISTRATION) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. Second reading and public hearing is scheduled for February 28, 2017.**

Item was approved by the City Council on first reading on February 14, 2017. Second reading and public hearing was scheduled for February 28, 2017.

REPORT: Motion to Approve Item 8 made by Councilwoman Casáls-Muñoz, and seconded by Council Vice President. Motion passed (6-0-1) with Councilwoman Garcia-Martinez absent.

9. Board Appointments –

- a. Proposed resolution reappointing Maida Gutierrez to the Board of Commissioners of Hialeah Housing Authority of the City of Hialeah, Florida for a four (4)-year term ending on February 14, 2021. (MAYOR HERNANDEZ) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. RESOLUTION NO. 2017-014.**

REPORT: Motion to Approve Item 8 made by Councilwoman Casáls-Muñoz, and seconded by Council Vice President. Motion passed (6-0-1) with Councilwoman Garcia-Martinez absent.

10. Unfinished Business - **NONE**

11. New Business - **NONE**

12. Comments and Questions –

- **Grace Loupe, 2050 East 2 Avenue, Hialeah, FL., invited all to join in on the Guardian Hands Foundation Fourth annual walk against rare diseases on Saturday, February 25, 2017.**

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.

Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

ZONING

REPORT: All were duly sworn in.

- PZ 1. Second reading and public hearing of proposed ordinance rezoning property from R-1 (One Family District) to RO (Residential Office District) according to the site plan dated October 17, 2016; and granting a variance permit to allow a lot area of 6,391 square feet (7,500 square feet required); a lot width of 50 feet (75 feet required); allow a handicapped parking space in the front setback (parking allowed in rear only); allow a 10 foot wide two-way driveway (20 feet required); allow a 5 foot landscape buffer at the front property line (7 foot required); all contra to Hialeah Code of Ordinances §§ 98-779, 98-782, 98-2188(a)b.; and § D(7) of the latest edition of the City of Hialeah Landscape Manual to construct a 1,307 square foot office; **property located at 540 E 49th Court Hialeah, Florida.** Providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (Applicant: Alejandro Vilarello, P.A., 16400 NW 59 Avenue, 2nd Floor, Miami Lakes, FL 33134, on behalf of LAJO Construction Corp.) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. ORDINANCE NO. 2017-005.**

<i>Item was approved by the City Council on first reading on January 24, 2017. Second reading and public hearing was scheduled for February 14, 2017.</i>

<i>Item was approved by the Planning and Zoning Board on January 11, 2017.</i>
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<i>Planner's Recommendation: Approval</i>

<i>Owner of the property: LAJO Construction Corp., 8561 SW 5th Street, Miami, Florida 33144</i>
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REPORT: Motion to Approve Item PZ 1 made by Councilwoman Casáls-Muñoz, and seconded by Councilman Caragol. Motion passed (6-0-1) with Councilwoman Garcia-Martinez absent.

- PZ 2. Second reading and public hearing of proposed ordinance granting a variance permit to allow 55 parking spaces (101 parking spaces required); contra to Hialeah Code of Ordinances § 98-2189(16)a., b., and c., to construct a 41-unit mixed use building; located in the NBD (Neighborhood Business District), area 5, zoned C-2 (Liberal Retail Commercial). **Property located at 467-489 East 9 Street, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an

effective date. (Applicant: Ceasar Mestre, Jr. Esq., 7600 West 20th Avenue, # 220, Hialeah, Florida 33016, as representative) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. ORDINANCE NO. 2017-006.**

Item was approved by the City Council on first reading on January 24, 2017. Second reading and public hearing was scheduled for February 14, 2017.

Registered Lobbyist: Ceasar Mestre, 7600 West 20 Avenue, Suite 220, Hialeah, Florida 33016.

Item was approved with conditions by the Planning and Zoning Board on January 11, 2017.

Planner's Recommendation: Approve with conditions

*Owner of the Property: Salvador Vega, P.O. Box 660494, Miami Springs, FL 33266
Robert and Margaret Smith, 400 Eastward Drive, Miami Springs, FL 33166*

REPORT: Motion to Approve Item PZ 2 made by Councilwoman Casáls-Muñoz, and seconded by Council Vice President Cue-Fuente. Motion passed (6-0-1) with Councilwoman Garcia-Martinez absent.

- PZ 3. First reading of proposed ordinance granting a special use permit (SUP) to allow the extension of the Neighborhood Business District Overlay regulations; and granting a variance permit to allow 66 parking spaces, where 82 parking spaces are required, of which 23 will be surface parking spaces in front and 21 parking spaces will be on the side setbacks, where surface parking is not allowed; contra to Hialeah Code §§ 98-2189(16)a., 98-2189(16)c., and 98-1630.3(e)(4) to construct two three-story live/work buildings on property zoned M-1 (Industrial District). **Property located at 8250 West 21 Lane, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (Applicant: Alejandro Arias, Esq., 701 Brickell Avenue, Suite 3300, Miami, Florida 33131, on behalf of Hialeah 1.2 Acres, LLC) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. Second reading and public hearing is scheduled for February 28, 2017.**

Item was approved with conditions by the Planning and Zoning Board on February 8, 2017.

Registered Lobbyists: Hugo P. Arza, Esq., Alejandro J. Arias, Esq., Juan J. Mayol, Jr., Esq., and Michael Freire, Land Use Consultant

Planner's Recommendation: Approval with conditions

*Owner of the Property: Hialeah 1.2 Acres, LLC
Managers:
Prestige Builders Group Management, LLC
Fluid Capital, LLC
Black River Partners, VI, LLC, 3258 Harrington Drive, Boca Raton, FL
MPC Family Holdings, LLC, 16400 NW 59 Ave, 2nd Floor, Miami Lakes
Arch III, LLC, 16400 NW 59 Ave, 2nd Floor, Miami Lakes, FL 33014*

Rodriguez Family Capital Holdings, LLC, 16400 NW 59 Ave, 2nd Floor

REPORT: Motion to Approve Item PZ 3 made by Council Vice President Cue-Fuente, and seconded by Councilwoman Casáls-Muñoz. Motion passed (6-0-1) with Councilwoman Garcia-Martinez absent.

- PZ 4. First reading of proposed ordinance rezoning property from R-1 (One-Family District) to R-2 (One and Two Family Residential District); and granting a variance permit to allow construction of a duplex on each of five substandard lots, each having a frontage of 40 feet, where a minimum of 75 feet are required, a total lot area of 4000 square feet, where a minimum of 7,500 are required, a lot coverage of 38 percent, where a maximum of 30 percent is allowed; front setbacks of 21.5 feet and rear setbacks of 20 feet, where 25 feet are required for each; and side setbacks of 5 feet, where 7.5 feet is required, all contra to Hialeah Code §§ 98-545, 98-546, 98-547, 98-2056(b)(1) and (2). **Property located at 44XX East 10 Avenue Hialeah, Florida.** Providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Alari Holdings I, LLC, 16400 NW 59 Avenue, Miami Lakes, FL 33014*) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. Second reading and public hearing is scheduled for February 28, 2017.**

Item was approved by the Planning and Zoning Board on February 8, 2017.

Registered Lobbyists: Anthony Escarra and Alejandro Vilarello, 16400 NW 59 Avenue, 2nd Floor, Miami Lakes, FL

Planner's Recommendation: Approve rezoning from R-1 to R-2 and related variances with the aim to introduce renewal and redevelopment in the area.

Owner of the Property: Alari Holdings I, LLC, 16400 NW 59 Avenue, Miami Lakes, FL 33014

REPORT: Motion to Approve Item PZ 4 made by Councilman Hernandez, and seconded by Council Vice President Cue-Fuente. Motion passed (6-0-1) with Councilwoman Garcia-Martinez absent.

- PZ 5. First reading of proposed ordinance rezoning property from C-1 (Restricted Retail Commercial) to P (Parking District). **Property located at 775 East 49 Street Hialeah, Florida.** Providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: MNVG Properties, P.O. Box 26-1750, Miami, Florida 33126*) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. Second reading and public hearing is scheduled for February 28, 2017.**

Item was approved as recommended by the Planning and Zoning Board on February 8, 2017.

Planner's Recommendation: Approve rezoning to P and deny reduced landscape buffer variance request.

Owner of the Property: MNVG Properties, P.O. Box 26-1750, Miami, Florida 33126

REPORT: Motion to Approve Item PZ 5 made by Councilwoman Casáls-Muñoz, and seconded by Council Vice President Cue-Fuente. Motion passed (6-0-1) with Councilwoman Garcia-Martinez absent.

- PZ 6. First reading of proposed ordinance granting a conditional use permit (CUP) pursuant to Hialeah Code § 98-1630.22(e) to allow the sale and consumption of malt beverages (beer) in the Alwood Artist Live/Work Overlay District, “Leah Art District”; granting a variance permit to allow 22 parking spaces, where 78 are required, all backing-out into the street, where back-out parking is only allowed in residential districts contra to Hialeah Code §§ 98-2189 and 98-2190, and waiving all of the City of Hialeah Landscape Manual requirements; **property located at 1395 East 11 Avenue, Hialeah, Florida** zoned M-1 (Industrial District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Zachary Swanson, 401 Jefferson Avenue, Miami Beach, Florida 33139.*) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. Second reading and public hearing is scheduled for February 28, 2017.**

Item was approved with conditions by the Planning and Zoning Board on February 8, 2017.

Planner’s Recommendation: Approve CUP and parking variance to allow 22 on-site parking spaces subject to Declaration of Restrictions.

Owner of the Property: Zachary Swanson, 401 Jefferson Avenue, Apt. 3, Miami Beach, Florida 33139

REPORT: Zachary Swanson, 401 Jefferson Avenue, Apt. 3, Miami Beach, Florida, addressed the City Council regarding this item.

REPORT: Motion to Approve Item PZ 6 made by Councilwoman Casáls-Muñoz, and seconded by Councilman Hernandez. Motion passed (6-0-1) with Councilwoman Garcia-Martinez absent.

- PZ 7. First reading of proposed ordinance repealing and rescinding Hialeah, Fla. Ordinance No. 05-52 (June 20, 2005) that rezoned property from Industrial and Office (county zoning designation) to (MH Industrial District); and rezoning from GU (Interim District) to (MH Industrial District). **Property located at 9100 West 40 Avenue Hialeah, Florida.** Providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Beacon Logistic Park, LLC*). **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. Second reading and public hearing is scheduled for February 28, 2017.**

Registered Lobbyist: Joseph Goldstein, Holland & Knight, 701 Brickell Avenue, Suite 3300, Miami, Florida 33131

Item was approved by the Planning and Zoning Board on February 8, 2017.

Planner’s Recommendation: Approval

Owner of the Property: Beacon Logistic Park, LLC

REPORT: Per the direction of the Council President and with no objections, this item was moved out of order and heard by the City Council prior to Item PZ 1.

REPORT: Joseph Goldstein, Esq., addressed the City Council, on behalf of the applicant.

REPORT: Motion to Approve Item PZ 7 made by Councilwoman Casáls-Muñoz, and seconded by Councilman Caragol. Motion passed (6-0-1) with Councilwoman Garcia-Martinez absent.

FINAL DECISIONS

- FD 1. Proposed resolution approving the final decision of the Planning and Zoning Board, Decision No. 2017-01 that granted an adjustment on the property located at **7853 West 16th Avenue, Hialeah, Florida**; and providing for an effective date. (*Applicant: Guillermo Torres, 7853 West 16th Avenue, Hialeah, Florida 33014*) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. RESOLUTION NO. 2017-015.**

<i>Item was approved with conditions by the Planning and Zoning Board on January 11, 2017.</i>
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<i>Planner's Recommendation: Approval with the condition that the gazebo is modified and remains open on four sides.</i>
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<i>Owner of the Property: Guillermo Torres, 7853 West 16 Avenue, Hialeah, Florida</i>

REPORT: Motion to Approve Item FD1 made by Councilwoman Casáls-Muñoz, and seconded by Council Vice President Cue-Fuente. Motion passed (6-0-1) with Councilwoman Garcia-Martinez absent.

LAND USE AMENDMENTS

- LU 1. First reading of proposed ordinance amending the Future Land Use Map from Low Density Residential to Medium Density Residential; **property located at 2400 West 5th Way, Hialeah, Florida**, zoned R-2 (One and Two Family District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Ceasar Mestre, Esq. on behalf of CSC Realty Management, LLC, 7600 West 20 Avenue, #220, Hialeah, Florida 33016*) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. Second reading and public hearing is scheduled for February 28, 2017.**

<i>Planner's Recommendation: Approval</i>

<i>Approved by the Planning and Zoning Board on January 25, 2017</i>
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<i>Registered Lobbyist: Ceasar Mestre, 7600 West 20 Avenue, Suite 220, Hialeah, FL 33016</i>
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<i>Owner of the Property: CSC Realty Management, LLC, 13380 NW 104 Avenue</i>

REPORT: Motion to Approve Item LU 1 made by Councilwoman Casáls-Muñoz, and seconded by Councilman Hernandez. Motion passed (6-0-1) with Councilwoman Garcia-Martinez absent.

- LU 2. First reading of proposed ordinance amending the Future Land Use Map from Transportation and Utilities to Industrial; **property located at 401 West 20th Street, Hialeah, Florida**, zoned M-1 (Industrial District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Transoceanic Express Services, 401 West 20 Street, Hialeah, Florida 33010*). **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. Second reading and public hearing is scheduled for February 28, 2017.**

<i>Planner's Recommendation: Approval</i>
<i>Approved by the Planning and Zoning Board on January 25, 2017</i>
<i>Owner of the Property: E.L.R.E.H. Corporation, 401 West 20 Street, Hialeah, FL 33010</i> <i>Roberto Ruiz, 11939 S.W. 72 Terrace, Miami, FL 33183</i> <i>Eduardo Ruiz, 10315 N.W. 9 St Circle #302, Miami, FL 33172</i> <i>Horacio Ruiz, 10730 S.W. 121 Court, Miami, FL 33186</i> <i>Jose Ruiz, 7764 S.W. 157 Avenue, Miami, FL 33193</i>

REPORT: Motion to Approve Item LU 2 made by Councilwoman Casáls-Muñoz, and seconded by Council Vice President Cue-Fuente. Motion passed (6-0-1) with Councilwoman Garcia-Martinez absent.

- LU 3. First reading of proposed ordinance amending the Future Land Use Map from Low Density Residential to High Density Residential; **property located at 421 East 7th Street, Hialeah, Florida**, zoned R-1 (One Family District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Primus Place, LLC, 1474-A West 84 Street, Hialeah, Florida 33014*) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. Second reading and public hearing is scheduled for February 28, 2017.**

<i>Planner's Recommendation: Approval</i>
<i>Approved by the Planning and Zoning Board on January 25, 2017</i>
<i>Owner of the Property: Primus Place, LLC, 1474-A West 84 Street, Hialeah, FL 33014</i> <i>NuView IRA f/b/o L. Michael Osman, 1474-A West 84 Street, Hialeah</i> <i>East 13 Street, LLC, 1474-A West 84 Street, Hialeah, FL 33014</i> <i>Redound Corp., 1474-A West 84 Street, Hialeah, FL 33014</i>

REPORT: Motion to Approve Item LU 3 made by Councilwoman Casáls-Muñoz, and seconded by Councilwoman Lozano. Motion passed (6-0-1) with Councilwoman Garcia-Martinez absent.

- LU 4. First reading of proposed ordinance amending the Future Land Use Map from Low Density Residential to High Density Residential; **property located at 2070 East 6th Avenue, Hialeah, Florida**, zoned R-1 (One Family District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Ben Fernandez, Esq., on behalf of Project 2070, LLC, 200 South Biscayne Boulevard, Suite 850, Miami, Florida 33131*) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. Second reading and public hearing is scheduled for February 28, 2017.**

<i>Planner's Recommendation: Approval</i>	
<i>Approved by the Planning and Zoning Board on January 25, 2017</i>	
<i>Registered Lobbyists:</i>	<i>Gianeli Mestre, 200 South Biscayne Boulevard, Suite 850, Miami, FL 33131</i> <i>Ben Fernandez, 200 South Biscayne Boulevard, Suite 850, Miami, FL 33131</i>
<i>Owner of the Property:</i>	<i>Project 2070 LLC:</i> <i>R. Medina Enterprises, Inc.</i> <i>Hidalgo Holdings, LLC</i> <i>R. Medina Enterprises, Inc.:</i> <i>Frank Mena</i> <i>Rolando Medina</i> <i>Hidalgo Holdings, LLC:</i> <i>Richard Hidalgo</i> <i>Beatriz Hidalgo</i>

REPORT: Motion to Approve Item LU 4 made by Councilwoman Casáls-Muñoz, and seconded by Council Vice President Cue-Fuente. Motion passed (6-0-1) with Councilwoman Garcia-Martinez absent.

- LU 5. First reading of proposed ordinance amending the Future Land Use Map from Low Density Residential to High Density Residential; **property located at 545 West 24th Street, Hialeah, Florida**, zoned C-1 (Residential Retail Commercial District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Gilberto Aguila, 5735 West 12 Lane, Hialeah, Florida 33012*) **APPROVED (6-0-1) with Councilwoman Garcia-Martinez absent. Second reading and public hearing is scheduled for February 28, 2017.**

<i>Planner's Recommendation: Approval</i>	
<i>Item was approved by the Planning and Zoning Board on January 25, 2017</i>	
<i>Owner of Property:</i>	<i>Gilberto Aguila, 5735 West 12 Lane, Hialeah, FL 33012</i>

REPORT: Motion to Approve Item LU 5 made by Councilwoman Casáls-Muñoz, and seconded by Council Vice President Cue-Fuente. Motion passed (6-0-1) with Councilwoman Garcia-Martinez absent.

REPORT: Meeting was adjourned by Council President Gonzalez at 7:49 p.m.

NEXT CITY COUNCIL MEETING: Tuesday, February 28, 2017 at 7:00 P.M.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, February 28, 2017 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).